

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES AND INFESTATIONS

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 6, Department of Health Services
Communicable Diseases and Infestations
Articles and their headings: 10, HIV-Related Testing and Notification
Section numbers: R9-6-1001, R9-6-1003, and Exhibit A (The Department may add, delete, or modify Sections as necessary.)

- 2. The subject matter of the proposed rules:**
A.R.S. § 36-663, as amended by Laws 2008, Chapter 13, removes requirements for specific written or oral consent before a person orders an HIV-related test for an individual, and, instead, specifies that before a health care provider orders an HIV-related test for an individual, the health care provider is required to “ensure that oral or written informed consent information is provided” to the individual. The statute also defines “informed consent information.” The Arizona Department of Health Services is proposing to adopt rules that will implement A.R.S. § 36-663, as amended by Laws 2008, Chapter 13. The proposed changes and additions will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

The agency docket number:

RE-030-08

- 3. A citation to all published notices relating to the proceeding:**

None

- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Judy Norton, Office Chief
Address: Arizona Department of Health Services
Office of HIV, STD, & Hepatitis C Services
150 N. 18th Avenue, Suite 110
Phoenix, AZ 85007
Telephone: (602) 364-4698
Fax: (602) 364-3199
E-mail: nortonj@azdhs.gov

or

Name: Kathleen Phillips, Esq.
Administrative Counsel and Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams, Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

AGENCY RECEIPT
NOTICE OF RULEMAKING DOCKET OPENING

1. **Agency name:** Arizona Department of Health Services
2. **The Articles and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

<u>Sections</u>	<u>Action</u>
R9-6-1001	Amend
R9-6-1003	Amend
Exhibit A	Repeal